

Minutes of the Board of Adjustment meeting held on Monday, January 9, 2012, at 5:30 p.m. in the Murray City Municipal Council Chambers, 5025 South State Street, Murray, Utah.

Present: Preston Olsen, Chair
Roger Ishino, Vice-Chair
Joyce McStotts
Travis Nay
Rosi Haidenthaller
Tim Tingey, Administrative & Development Services Director
Ray Christensen, Senior Planner
G.L. Critchfield, Deputy City Attorney
Citizens

The Staff Review meeting was held from 5:15 to 5:30 p.m. The Board of Adjustment members briefly reviewed the applications. An audio recording is available for review in the Community & Economic Development office.

Preston Olsen explained that variance requests are reviewed on their own merit and must be based on some type of hardship or unusual circumstance for the property and is based on state outlined criteria, and that financial issues are not considered a hardship.

APPROVAL OF MINUTES

Mr. Ishino made a motion to approve the minutes from November 14, 2011 as written. Mr. Nay seconded the motion.

A voice vote was made. The motion passed, 5-0.

CONFLICT OF INTEREST

There was a conflict of interest for this agenda. Mr. Nay abstained himself from speaking and voting at this meeting as he is employed by Intermountain Health Care.

CASE #1444 – INTERMOUNTAIN HEALTH CARE – 74 West Vine St. - Project #12-03

Randy Evans was the applicant present to represent this request. Ray Christensen reviewed the location and request for approval for a canopy building addition to the existing building which is nonconforming with regard to building setback in the M-U (Mixed Use) zone. Also, the applicant is requesting a variance with regard to parking stalls located in the front setback area of the building at the property addressed 74 West Vine Street. Murray City Code Section 17.52.040 allows the Board of Adjustment to approve a building addition to a nonconforming building provided the standards in Section 17.52.040.B can be met. Murray City Code Section 17.146.050, 080 does not allow parking stalls in the front setback area of any building. The building on a corner lot has frontage on both streets. The zoning ordinance requires the buildings located within the M-U zone to be located 15-25 feet back from the street frontage. The applicant is requesting a variance to use and maintain the existing parking stalls in the front setback areas due to the location of the existing building. The elimination of parking stalls will reduce the parking stalls under the required number to comply with parking regulations. Medical and related office uses will require one off street parking stall for each two hundred sixty five (265) square feet of net usable office space. The total building contains 25,400 gross sq. ft. and a net of 23,886 sq. ft. which will require about 90

parking stalls. The parking regulation allows up to 110% in surface parking which is 99 parking stalls for this site. The proposed site plan for the new dialysis center shows a total of 100 parking stalls, but 99 parking stalls are permitted in surface parking stalls in order to meet the standard one space will need to be removed. Without a variance, 42 parking stalls will be eliminated in the front setback areas which will leave a balance of 57 parking stalls and will be less than the 90 stalls required by ordinance. The applicant has requested to improve a commercial property with a new canopy addition for use by IMC Dialysis Center. The canopy addition will be compatible with this area and will be an improvement to this property and is in harmony with the purposes of Title 17 which provides for commercial development in the city. The railroad tracks separate this building from other buildings to the west and Little Cottonwood Creek separates the building from buildings to the north. The proposed expansion of this existing nonconforming structure will not create additional impacts to properties in the vicinity. Based on review and analysis of the application material, subject site and surrounding area, and applicable Murray Municipal Code sections, the Community and Economic Development Staff finds that the proposal meets the standards for a variance with the elimination of one parking stall to meet the 110% allowed by code. Therefore, staff recommends approval.

Randy Evans, 7030 South Chris Lane, stated that they are excited about what the City has recommended and he feels the addition will benefit the community. With the adjacent Trax line and shuttle service to various facilities, he indicated that the loss of one parking stall will not have a negative effect.

The discussion was then opened up to public comment. No comment was made and the public comment section was closed.

Mr. Ishino made a motion to approve the variance for expansion of a canopy to a nonconforming building. Ms. Haidenthaller seconded the motion.

Vote recorded by Ray Christensen

A _____ Ms. McStotts
A _____ Mr. Olsen
A _____ Mr. Ishino
A _____ Ms. Haidenthaller

Mr. Nay abstained from voting.

Motion passed, 4-0.

Ms. Haidenthaller made a motion to approve the variance for parking as outlined by Staff. Seconded by Ms. McStotts.

Vote recorded by Ray Christensen

A _____ Ms. McStotts
A _____ Mr. Olsen
A _____ Mr. Ishino
A _____ Ms. Haidenthaller

Mr. Nay abstained from voting.

Motion passed, 4-0.

Ms. McStotts made the motion to approve the Findings of Fact for both recommendations as written. Mr. Ishino seconded the motion.

Mr. Nay abstained from voting.

A voice vote was made. Motion passed, 4-0.

ELECTION OF OFFICERS FOR 2012

Elections for Chair and Vice Chair were held. Ms. McStotts made a motion for Roger Ishino as Chair and Travis Nay as Vice Chair. Mr. Olsen seconded the motion.

Vote recorded by Ray Christensen

A ☐ Ms. McStotts
A ☐ Mr. Olsen
A ☐ Mr. Ishino
A ☐ Ms. Haidenthaller
A ☐ Mr. Nay

Motion passed, 5-0

Meeting adjourned.


Chad Wilkinson, Manager
Community & Economic Development